

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-4730**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DION LEE THOMPSON,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Spartanburg. Henry M. Herlong, Jr., District Judge. (CR-01-826)

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Submitted: May 27, 2004

Decided: June 2, 2004

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Before WIDENER, MICHAEL, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Hervery B. O. Young, Assistant Federal Public Defender, Greenville, South Carolina, for Appellant. Elizabeth Jean Howard, OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Dion Lee Thompson appeals his guilty plea conviction for conspiracy to possess with intent to distribute fifty grams or more of cocaine base, in violation of 21 U.S.C. § 846 (2000). Thompson's attorney has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), raising one issue, but stating that he finds no meritorious grounds for appeal. Thompson did not file a pro se supplemental brief, despite being informed of his right to do so. The Government declined to file a brief.

In the Anders brief, counsel questions whether the district court properly complied with the requirements of Fed. R. Crim. P. 11 when accepting Thompson's guilty plea. Because Thompson failed to object or move to withdraw his guilty plea, this court reviews his plea hearing for plain error. United States v. Martinez, 277 F.3d 517, 524-27 (4th Cir.), cert. denied, 537 U.S. 899 (2002). After a close review of the plea proceedings, we conclude that the district court thoroughly complied with the requirements of Rule 11.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. We, therefore, affirm Thompson's conviction and sentence, and we deny Thompson's motion to relieve counsel and appoint substitute counsel. This court requires that counsel inform her client, in writing, of his right to petition the Supreme Court of

the United States for further review. If the client requests that a petition be filed, but counsel believes that such petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED